

REMARKS

First, Applicant thanks the Examiner for discussing the rejections under 35 U.S.C. § 112, second paragraph, with the undersigned. *See accompanying Statement of Substance of Interview.*

Claims 1-29 are all the claims pending the in the present application. Claims 1-29 are rejected under 35 U.S.C. § 112, second paragraph, as allegedly being indefinite. Claims 1, 8, and 19 are rejected under 35 U.S.C. § 102(e) as allegedly being anticipated by Ngo (U.S. Patent Application Publication No. 2004/0037257). Claims 2, 9, 26 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Ngo in view of You et al. (U.S. Patent No. 7,079,516). Claims 3-7, 10-14, 18, 20, and 21 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Ngo in view of LoGalbo et al. (U.S. Patent Application Publication No. 2002/0093928). Claims 15, 16, and 27-29 are rejected under 35 U.S.C. § 1103(a) as allegedly being unpatentable over Ngo, in view of You, and further in view of LoGalbo. Claim 17 is rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Ngo, in view You, LoGalbo, and further in view of Biacs et al. (U.S. Patent Application Publication No. 2003/0210656). Claims 22, 23, and 25 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Ngo in view of LoGalbo, and further in view of You. Finally, claim 24 is rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Ngo, in view of LoGalbo et al., and further in view of Ishibashi (U.S. Patent No. 6,778,537).

§ 112, Second Paragraph Rejections - Claims 1-29

Applicant respectfully submits that claims 1-29 satisfy 35 U.S.C. § 112, second paragraph.

§ 102(e) Rejections (Ngo) - Claims 1, 8, and 19

Claims 1, 8, and 19 are rejected based on the reasons set forth on pages 2-5 of the present Office Action.

With respect to independent claims 1, 8, and 19, Applicants submit that Ngo does not disclose or suggest at least, “second transmission mode in which the transmitted data packet is transferred after reconfiguration thereof, according to specific information included in a header of the transmitted data packet,” as recited in claim 1 and similarly recited in claims 8 and 19. The claimed invention, as recited in claims 1, 8, and 19, can relate to a type of data (streaming data or non-streaming data). Differently, Ngo relates to the capacity of the network.

At least based on the foregoing, Applicants submit that Ngo does not anticipate claims 1, 8, and 19.

§ 103(a) Rejections (Ngo/You) - Claims 2, 9, and 26

Claims 2, 9, and 26 are rejected based on the reasons set forth on pages 6-7 of the present Office Action. The Examiner acknowledges that the primary reference Ngo does not satisfy the feature, “a second receiving mode in which the received data packet is restored to a data packet state before being subjected to the reconfiguration, when the received data packet is transferred in the second transmission mode,” as recited in claim 2. However, the Examiner believes that the secondary reference You makes up for the deficiencies of Ngo. Specifically, the Examiner simply indicates that You discusses restoring packet data from output signals of a GFSK demodulator 20. Further, the Examiner alleges that the above-quoted feature of claim 2 is satisfied by Fig. 1 of You. In response, Applicant submits that even if, *arguendo*, You discusses restoring the packet, nowhere does this particular reference discuss multiple modes of transmission (i.e., first and second); further, nowhere does the applied reference discuss a receiving mode in which the received data packet is restored to a data packet state before being subjected to reconfiguration. This particular feature is nowhere even mentioned in You.

Therefore, at least based on the foregoing, Applicant submits that dependent claim 2 is patentably distinguishable over the applied references, either alone or in combination.

Applicant submits that claims 9 and 26 are patentable at least based on reasons similar to those set forth above with respect to claim 2, as claims 9 and 26 recite features similar to those set forth in claim 2.

§ 103(a) Rejections (Ngo/ LoGalbo) - Claims 3-7, 10-14, 18, 20, and 21

Claims 3-7, 10-14, 18, 20, and 21 are rejected based on the reasons set forth on pages 8-11 of the present Office Action.

First, Applicants submit that dependent claims 3-7, 10-14, 18, and 20 are patentable at least by virtue of their respective dependencies from independent claims 1, 8, and 19. LoGalbo does not make up for the deficiencies of Ngo.

Further, with respect to dependent claims 4 and 11, the Examiner acknowledges that neither of the applied references satisfies the particular features of claims 4 and 11, however the Examiner alleges that the features of these claims are well known in the art. In response, Applicant submits that the specific feature, “wherein the new packet information comprises a destination service access point (DSAP), a total length of IP(Internet Protocol), a number of IP headers, UDP(User Datagram Protocol) checksums, and a number of UDP checksums,” as recited in claim 4 and similarly recited in claim 11 is nowhere taught or suggested in any of the applied references. Applicant submits that the Examiner has obviously utilized hindsight reasoning in concluding that the specific features quoted above are well known, as none of the applied references, teaches the particular features set forth above. Further, Applicant respectfully requests that the Examiner apply a reference showing the features of claims 4 and 11

in a new non-final Office Action if the Examiner wishes to maintain that the above-quoted feature is satisfied by prior art.

Applicant submits that claims 5, 12, and 18 are patentably distinguishable over the applied references at least based on similar reasons.

With respect to independent claim 21, Applicant submits that this claim is patentable at least based on reasons similar to those set forth above with respect to claim 1.

§ 103(a) Rejections (Ngo/You/LoGalbo) - Claims 15, 16 and 27-29

Applicant submits that claims 15, 16, 27, and 29 are patentable at least by virtue of their respective dependencies from claims 2 and 26. LoGalbo does not make up for the deficiencies of the other applied references.

§ 103(a) Rejections (Ngo/You/LoGalbo/Biacs) - Claim 17

Applicant submits that claim 17 is patentable at least by virtue of its indirect dependency from claim 2. Biacs does not make up for the deficiencies of the other applied references.

§ 103(a) Rejections (Ngo/LoGalbo/You) - Claims 22, 23, and 25

With respect to claim 23, first, Applicants submit that this claim is patentable at least by virtue of its dependency from independent claim 21. You does not make up for the deficiencies of the other applied references.

Further, Applicants submit that claim 23 is patentable at least based on reasons similar to those set forth above with respect to claims 4 and 11, as discussed above. You does not make up for the deficiencies of the other applied references.

With respect to claims 22 and 25, Applicants submit that these claims are patentable at least by virtue of their dependencies from independent claim 21. You does not make up for the deficiencies of the other applied references.

§ 103(a) Rejections (Ngo/LoGalbo/Ishibashi) - Claim 24

Finally, with respect to claim 24, Applicants submit that this claim is patentable at least by virtue of its dependency from independent claim 21. Ishibashi does not make up for the deficiencies of the other applied references.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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